1944. **File No.** O. Civil. Pioneer Force ordinance 44

Sd/ 47

Legal Dep'
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Subject:— opinions under the civil Pioneer Force ordinance - 1942

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File No. O Civil Pioneer Force ordinance 44

Gen. 194'6

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~~R.L.A. 5171~~
~~27-6-1944.~~

Submitted.

2. Government has constituted a summary court in the Poona District as provided in section 17(1) of the Civil Pioneer Force Ordinance, 1948. Khan Saheb M.H.Meledina is appointed by the District Magistrate, Poona as President of the Court, the Commandant of the 1st Unit is requested to sit on the Court himself or to nominate a commissioned officer of the Force for the purpose and Mr. W.J.Ingham is selected as the third person by the Bombay Government by Government Notification, Home Department, (A.R.P.) No. 925(c), dated the 8th June 1944 (page 25 ante). The draft notification appointing third person for the purpose of constituting the Court was scrutinized by this office (cf. R.L.A.'s No. 5006, dated the 3rd June 1944). The U.P.Government in its letter dated the 7th June 1944 at page 49 ante inquires of this Government whether a summary court has been constituted as it has been decided in consultation with the Government of India that the Bombay Court will also try personnel of the First United Provinces Civil Pioneer Force Unit which is stationed at Poona. They also request that instructions may be issued asking the Court to take cognisance of cases instituted by the Officer Commanding First United Provinces Civil Pioneer Force Unit and presume that whenever the Bombay Court tries an offender of the U.P.Unit, the Civil Pioneer Force member of the Court will be the Commanding Officer, First United Provinces Civil Pioneer Force Unit or a Commissioned Officer deputed by him. H.D.(A.R.P.) agrees with the U.P. Government. The R.L.A. is requested to advise in the matter.

The view taken by the U.P.Government in the second para. of its letter at page 49 ante and endorsed by the H.D. at pages 53-54 ante, is correct. No notification is necessary.

Sd./- P.S.Nadkarni.
S/7/

Sd./- P.N.M.
Remembrancer of Legal Affairs.

U.R. to H.D.(A.R.P.), No. 5132; dated the 20th July 1944.

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1.8.44.
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